TyneCoast Academy Trust

Whistleblowing Policy

Approved by:	Tyne Coast Academy Trust	**Date:** 10 April 2025
Last reviewed on:	April 2025	
Next review due by:	April 2027	

1. Introduction

Whistleblowing legislation was introduced by the Public Interest Disclosure Act 1998, to provide a mechanism for employees to be able to report concerns about criminal behaviour or malpractice without fear of reprisal or dismissal.

This policy sets out the arrangements for employees of the Trust, agency workers or contractors to be able to raise concerns where they feel unable to do so through normal management channels.

The Board of Trustees and Local Governing Bodies are committed to conducting its activities within a culture of openness, accountability and vigilance and expects all staff to maintain the highest standards in work

2. Aims

This policy aims to:

- encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected.
- Let all staff in the Trust know how to raise concerns about potential wrongdoing in or by the Trust
- To ensure employees receive a response to their concerns and they are aware of how to pursue them if they are not satisfied
- To reassure employees that they will be protected from possible reprisals or victimisation if they have reasonable belief that they have made any disclosure in good faith.

3. What is covered by this policy?

A ‘whistleblower’ is a person who has a reasonable belief that a certain type of wrongdoing has taken place, is taking place or might take place. Where the ‘whistleblowing’ takes place in the public interest and is being made in good faith, the individual is protected by law against being treated unfairly or losing their job as a result of blowing the whistle.

The grievance procedure is in place to enable employees to lodge a concern relating to their employment. This policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Dangerous procedures or practice risking Health and Safety, including risks to the public as well as other employees
- Damage to the environment
- Dangerous practices
- The unauthorised use of public funds
- Inappropriate use of the Academy Trusts Standing Orders, Financial procedures or Contract Regulations
- Fraud or corruption

- Practice which falls below established standards or practice
- Action which is contrary to the code of conduct for employees Sexual or physical abuse of pupils or others
- Other unethical conduct

4. How to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistleblowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

The Trust would always encourage staff to raise concerns with their line manager. Depending on the seriousness of the concern, or who might be involved, where staff feel unable to do this, they should contact their Headteacher/Principal or Senior Trust Manager for central based staff.

If the concern is about the Headteacher/Principal or Senior Trust Manager or it is believed they may be involved it should be raised with the Chief Executive Officer.

If the concern is of a safeguarding nature, then the reporting procedure set out in the Safeguarding and Child Protection Policy should be followed. If staff have safeguarding concerns or an allegation of abuse is made about another member of staff (including supply staff, volunteers and contractors) posing a risk of harm to children this should be reported to the Headteacher, However, if it is a low level concern this should be reported to the DSL Where there are concerns about the headteacher/principal this should be referred to the Chair of the Governing Board. In the event of a situation where there is a conflict of interest in reporting the matter to the Headteacher, this should be reported to the Local Authority Designated Officer (LADO).

If the concern is about the Chief Executive Officer it should be raised with the Chair of the Trust.

Where a member of staff feels unable to raise an issue with the school, or feels their genuine concerns are not being addressed, other whistleblowing channels are available and a link to external organisations is provided in section 10.

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible.

All concerns will be treated in the strictest of confidence.

Although employees are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

For further advice and/or guidance, please contact Human Resources.

Employees may ask their trade union or professional association representative to advise them or be present during any meetings or interviews in connection with the concerns they have raised.

Employees will not be victimised, disciplined or disadvantaged in any way for raising genuine concerns. All employees have legal protection under the Public Interest Disclosure Act 1998. This Act protects employees from victimisation by their employer as a result of raising genuine concerns both inside or outside their organization. However, this does not apply where allegations are found to be malicious or deliberately false. Such behavior will be dealt with under the Disciplinary Procedure.

Employees also have the right to raise matters of concern under the Grievance Procedure.

5. Anonymous Allegations

This policy encourages employees to put their name to any allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust.

In exercising its discretion, the factors to be taken into account would include

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

6. Investigating the Concern

When a concern is received, a meeting will be convened to discuss the matter as soon as practicable. The person raising the concern may be accompanied by a trade union representative.

At the meeting the Trust will listen to the concern and may ask questions for clarification. At the meeting or soon after, the Trust will advise how it proposes to deal with the matter. This may be in person or in writing. The Trust may request that the concern is not discussed with anyone else while the matter is under investigation.

The individual manager hearing the concern is encouraged to take advice from Human Resources.

Where appropriate, the matters raised may:

- Be investigated by management, internal audit, or in conjunction with Human Resources through the disciplinary procedure
- Be referred to the police
- Be referred to the Trust's auditor
- Form the subject of an independent inquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and if so, what form it should take. The overriding principle the Trust will have in mind is the public interest. Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination issues), will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

In all cases, when an employee raises a concern, the Chair of Trustees and Chief Operating Officer must be notified by the recipient of the complaint. They will assess the nature of the concern in conjunction with Internal Audit and current procedure and regulation to decide the appropriate response.

The amount of contact between the trustees/officers/managers considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Trust will seek further information from the employee, as part of the investigation process.

The Trust will take steps to minimise any difficulties which employees may experience as a result of raising any concerns. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Trust will arrange for them to receive support.

The Trust accepts that individuals need to be assured that the matter has been addressed. Thus, subject to legal constraints and the bounds of confidentiality, we will inform them of the outcome of any investigation, and the action that is to be taken against those whose action caused the concern. Also, if appropriate, what changes are to be made to monitor procedures to ensure that a similar concern is not raised in the future.

7. Malicious or vexatious allegations

If employees make an allegation in good faith, but it is not confirmed by the investigation no action will be taken against them. If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

8. Safeguarding Concerns

All issues that relate to the safety and well-being of children and young people must be reported to the Headteacher/Principal or Senior Trust Manager. If a member of staff suspects that there is a serious safeguarding issue that the Headteacher/Principal or Senior Trust Manager is not taking seriously or that they believe there is a serious safeguarding issue they should in the first instance contact their Chair of Governors or Chair of the Trust Board before seeking external support from the Local Authority Designated Officer (LADO). Further information regarding keeping children safe can be found in in an individual school Child Protection Policy.

9. Responsible officer

The Chief Executive Officer (CEO) of the Trust has the overall responsibility for the maintenance and operation of the Whistle Blowing policy in respect of concerns raised formally outside the management of the Trust. The Trust maintains a record of concerns raised and the outcome, but in a form which does not endanger your confidentiality and reports as necessary. In respect of concerns raised internally within an individual Academy the head teacher/principal will maintain a record of concerns raised and the outcome and will report as necessary to the Trust Board.

10. How matters can be taken further

If the person raising the concern is not satisfied with the outcome, they may take the matter to the CEO if they have not already been involved. Within ten days the CEO will write to them to acknowledge the concern has been received and indicate the steps that will be taken. The CEO may choose to set up a small group of trustees to investigate. The CEO will then inform the employee of the outcome on the same basis as above.

This policy is intended to provide a way to raise concerns within the Trust. If a person is not satisfied and they feel it is right to take the matter outside the Trust there a number of prescribed people or bodies who are listed by the legislation and a list of prescribed bodies to whom staff can raise concerns with is included here.

If employees take their concerns outside of the Trust, this policy does not apply. They should take advice about their rights and responsibilities. Employees should also make sure that as

far as possible the matter is raised without personal information relating to other employees being disclosed.

Any employee who unreasonably and without justification raises such issues on a wider basis, such as with the press, without the following the steps and advice in this procedure may be liable to disciplinary action.

11. Monitoring and Review

This policy is monitored by the Trust Board and will be reviewed in two years or earlier if necessary.

12. Version Control

Version Number	Purpose/Change	Author	Approval	Date
1	Policy first developed	C.Pinkney, Operations Manager	Tyne Coast Academy Trust Board	18/10/2018
2	Policy updated with minor changes	M Dobrianski HR Manager	Tyne Coast Academy Trust Board	08/07/2021
3	Policy reviewed; no changes required	M Dobrianski Head of HR & Business Operations	Tyne Coast Academy Trust Board	19/10/2023
4	Policy updated with minor changes to job roles	M Dobrianski Chief Operating Officer	Tyne Coast Academy Trust Board	11/07/2024
5	Policy updated with updated information on safeguarding allegations concerning staff	M Dobrianski Chief Operating Officer	Tyne Coast Academy Trust Board	10/04/2025

Appendix 1: Report Form

Report made under the Trust's Whistleblowing policy to:	(Detail name and title of officer to who the report is being made)
Your name:	(You are encouraged to insert your name, but may choose not to – the recipient of the form will attempt to preserve confidentiality)
Your Job role/Team/Academy	
Concerns reported:	(Give full details of the background to the concern; names, dates and places; and the reasons why you are concerned. Attach a separate sheet if necessary)
Date:	
Signed: (if employee's name appears above)	